

Filed for intro on 02/02/95
Senate Bill _____
By _____

<PrintHouse> Bill No. House No. HB0587
By Davidson

AN ACT to amend Tennessee Code Annotated, Section 49-2-201(a), solely to provide a means of transition from a method of selecting school board members under prior law to an elected school board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-201(a), is amended by adding the following new subdivisions:

(3) To implement the provisions of subdivision (a)(1), the general assembly by private act, or the local legislative body by resolution, may adopt a plan to accomplish a transition from a method of selecting school board members authorized under prior law to an elected school board which is in compliance with subdivision (a)(1). If a transition plan is utilized, nothing in this section shall be construed to require simultaneous election of board members, nor to prevent board members selected under prior law during a transition period from serving the full term for which they were selected. As part of the implementation process under subdivision (a)(1), the local legislative body may renumber existing school districts. During the transition period, the number of school board members may

exceed the number authorized under subdivision (a)(1). A transition plan may not be validly enacted or adopted under this section after September 1, 1996.

(4) A private act enacted by the general assembly and a resolution adopted by a local legislative body prior to the effective date of this act, which established a transition plan as described in subdivision (a)(3), are declared to be in full compliance with the laws of this state. Any and all otherwise valid actions taken by a school board composed of members selected pursuant to such private acts or resolutions are hereby ratified and confirmed.

SECTION 2. Tennessee Code Annotated, Section 49-2-201(a)(1), is amended by deleting the date "January 1, 1993" and substituting instead the date "January 1, 1992", and by inserting immediately after the second sentence the following language: "In addition, the general assembly may authorize by private act any number of school board members which is not less than three (3) nor more than nine (9)."

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

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